

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA

v.

GARY CREEK,

Defendant.

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CRIMINAL NO. CCB-19-0036

**GOVERNMENT'S MOTION TO REVOKE CONDITIONS OF RELEASE
AND REQUEST FOR AN ARREST WARRANT**

The United States of America respectfully moves to revoke Defendant Gary Creek's conditions of release and requests an arrest warrant based on the following reasons:

1. On December 5, 2019, a federal grand jury returned an indictment charging Creek with (1) Conspiracy to Possession with the Intent to Distribute a Controlled Substance in violation of 21 U.S.C. § 846; and (2) Conspiracy to Possess a Firearm in Furtherance of a Drug Trafficking Crime in violation of 18 U.S.C. § 924(o). The Court ordered Creek detained.

2. On May 1, 2020, the Court released Creek pursuant to 18 U.S.C. § 3142(i) and imposed several conditions of release.

3. On June 4, 2021, Kenneth Langston, Senior Probation Agent, requested that this Office seek an arrest warrant for Creek based on an apparent violation of release conditions on or about June 3, 2021. Creek was scheduled to appear for an initial appearance on a Second Superseding Indictment on June 3, 2021. That proceeding was ultimately canceled, but Creek neither appeared at the Courthouse, nor did he return to his third-party custodian's residence. He also failed to attend his scheduled physical therapy appointment that same day. He has not had contact with law enforcement or Mr. Langston since that date. The Government now joins Mr.

Langston's request for a warrant.

4. The Government requests that the Court revoke Creek's release status and issue an arrest warrant under 18 U.S.C. §§ 3145, 3148. The Government notes that this request is not an indictment by the Government regarding Creek's guilt as to the violation of release. Rather, the Government has an interest in ensuring Creek's presence in federal court for the resolution of this matter. Therefore, the request for a warrant is based on a risk of flight assessment under 18 U.S.C. § 3142.

5. A proposed warrant is being submitted to the Court along with this motion.

WHEREFORE, the Government respectfully requests that the Court revoke Creek's conditions of release pending a hearing on this motion, and that the Court issue an arrest warrant under 18 U.S.C. § 3148(b).

Respectfully submitted,

Jonathan F. Lenzner
Acting United States Attorney

Date: June 4, 2021

_____/s/
Patricia McLane
Assistant United States Attorney
36 S. Charles Street, Fourth Floor
Baltimore, Maryland 21201
Phone: (410) 209-4800

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 4th day of June, 2021, a copy of the foregoing motion was served via CM/ECF to all counsel of record.

_____/s/
Patricia McLane
Assistant United States Attorney